

EXHIBIT 10

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT
3 NORTHERN DIVISION
4 UNITED STATES OF AMERICA
5 PLAINTIFF
6 V. CAUSE NO. 3:16-CV-622-CWR-FKB
7
8 STATE OF MISSISSIPPI
9 DEFENDANT
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1 *****
2 DEPOSITION OF JAKE HUTCHINS
3 *****
4 Taken at Phelps Dunbar, LLP
5 4270 I-55 North,
6 Jackson, Mississippi,
7 on Monday, June 11, 2018,
8 beginning at approximately 8:59 a.m.
9 (Appearances Noted Herein)
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3 Reported By:
4 Kelly M. Powell, CCR, #1692

1 A. That is correct.

2 Q. Okay. And did any of the regions make a
3 proposal that you thought should be implemented
4 across the state?

5 A. They were all, except for maybe one,
6 very similar in how they were going to -- it was
7 all based on, you know, court liaisons or
8 intensive community support or, you know,
9 transitioning back and forth between if the
10 individual has to go to a CSU or to a hospital.

11 Q. What was the one exception?

12 A. Pine Belt Mental Health, their proposal
13 from day one was they needed additional staff at
14 the CSU, so they could take more intensive
15 individuals.

16 Q. It's a very narrow proposal --

17 A. Very narrow.

18 Q. -- from that one?

19 A. Uh-huh (affirmative response).

20 Q. And the third FOA went to one CMHC.

21 Which CMHC is that?

22 A. Region 4, Timber Hills Mental Health.

23 Q. And that is for an additional PACT team?

24 A. That is correct.

25 Q. Region 4 operates a PACT team already,

1 correct?

2 A. That's correct.

3 Q. And so would this be a PACT team that
4 would serve other counties covered by Region 4?

5 A. That's correct. They already operate
6 one PACT team in Desoto County, which is one of
7 the fastest growing counties in the state. And
8 this additional PACT team will serve their other
9 four counties, which is graphically distinct from
10 Desoto County.

11 Q. And when CMHCs made their initial
12 suggestions around December 2017, did they -- were
13 they asked to submit estimates of how much money
14 they were requesting?

15 A. They were.

16 Q. And from the funding opportunity
17 announcements, it looks like DMH made a
18 determination how to allocate some of this money;
19 \$800,000 is the maximum for CSUs, \$400,000 is the
20 maximum for crisis enhancement, and \$400,000 is
21 the maximum for the PACT team?

22 A. That's correct.

23 Q. How did you arrive at those particular
24 numbers?

25 A. That is something you would have to ask

1 A. They received information on the CHOICE
2 project, which is our housing support and voucher.

3 Q. The next paragraph: "DMH must require
4 the legacy teams to begin billing Medicaid for
5 eligible recipients/services."

6 Do you agree with that recommendation?

7 A. At that point in time, I did not
8 completely agree with that recommendation.

9 Q. Why is that?

10 A. Because we were offering a grant to the
11 community providers, and I wanted to ensure that
12 they were providing services to individuals who
13 need it rather than whether they had a payor
14 source.

15 Q. Is this recommendation about only
16 providing PACT services to individuals with
17 Medicaid?

18 A. No. It's about maximizing their
19 Medicaid recipients.

20 Q. Is it about maximizing Medicaid
21 recipients or is it about maximizing Medicaid
22 reimbursements?

23 A. Possibly both.

24 Q. You said, I believe, at the time you did
25 not agree with this recommendation. Do you agree

1 with it now?

2 A. I agree they need to take advantage of
3 individuals that have a payor source. I'm not
4 completely in agreement with a prerequisite to
5 that service being, do you have a payor source,
6 because we offer a grant for the service.

7 Q. And you interpret this recommendation to
8 be a recommendation that a payor source is
9 required for individuals to receive PACT services?

10 A. I'm not interpreting what they said, I'm
11 interpreting what I have experienced in the past
12 is if you say you need to maximize your Medicaid,
13 you're going to end up with all Medicaid.

14 Q. Might you end up with all Medicaid
15 because the CMHCs took seriously the goal of
16 connecting people to benefits?

17 A. I would love that.

18 Q. Might not be a prerequisite in that
19 situation, then, would it?

20 A. It wouldn't be.

21 Q. The last paragraph on this page says,
22 "In addition to expanding and showing up PACT
23 services, DMH and DOM should assess the potential
24 for implementation of an alternative to PACT for
25 individuals who may not meet the stringent